

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

IN RE: Gorman Lester Allen, Jr.
 Rebecca Linette Allen
 Debtors

OBJECTION TO CLAIM 17

GORMAN LESTER ALLEN, JR.
REBECCA LINETTE ALLEN
 Debtor(s)/Plaintiff(s)

Case number: 12-51033

v.

AUGUSTA HEALTH CARE, INC., D.B.A.,
AUGUSTA MEDICAL CENTER

Serve:

John W. Sills, III, Esquire
Registered Agent
Timberlake, Smith, Thomas & Moses
25 N. Central Avenue
P.O. Box 109
Staunton, Virginia 24401-0108
 Defendant(s)

COMES NOW the Debtors/Plaintiffs, Gorman Lester Allen, Jr and Rebecca Linette Allen, and object to Claim 17 filed by Augusta Health Care, Inc. Augusta Medical Center (hereinafter “Defendant,”) in support of which the debtors state as follows:

1. Defendant filed Claim 17 on October 22, 2013.
2. Claim 17 states that the debt in question is owed by “Augusta Medical Center.” Said debt is actually owed by the Debtors/Plaintiffs.
3. Claim 17 states that the debt in question is owed to Debtors/Plaintiffs. Said debt is actually owed to Augusta Health Care, Inc., d.b.a. Augusta Medical Center.
4. To the extent that the Debtors/Plaintiffs owe a debt to Defendant, Debtors/Plaintiffs contend that said debt was created pursuant to Section 55-37 of the Code of Virginia, 1950, as

Amended and not pursuant to Section 8.01-220.2 of the Code of Virginia, 1950, as Amended.

WHEREFORE, Debtors pray that the Court enter an Order sustaining the Debtors' objection to claim no. 17; and for such further relief as the Court appropriate.

ANY CREDITOR OR PARTY IN INTEREST FILING A RESPONSE TO THIS CLAIM OBJECTION SHALL FILE WITH THE COURT, THE TRUSTEE AND COUNSEL FOR THE DEBTOR ITS WRITTEN RESPONSE NOT LATER THAN THIRTY (30) DAYS FROM THE DATE SET FORTH BELOW.

Date Mailed: 10/23/2013

/s/ David L. Meeks
Counsel

David L. Meeks, Esq.
Carlton Legal Services, P.L.C.
118 MacTanly Place
Staunton, VA 24401
(540) 213-0547
V.S.B. #65734

CERTIFICATE

I, David L. Meeks, Esq., do hereby certify that a true and accurate copy of this Objection to Claim 17 was mailed first class mail on October 23, 2013 to:

John W. Sills, III, Esquire
Registered Agent
Augusta Health Care, Inc., d.b.a. Augusta Medical
Center
Timberlake, Smith, Thomas & Moses
25 N. Central Avenue
P.O. Box 109
Staunton, Virginia 24401-0108

Rebecca Hryvniak, Esquire
Scott Kroner, PLC
P.O. Box 2737
Charlottesville, Virginia 22902

George I. Vogel, Esq., Trustee
P. O. Box 18188
Roanoke, Virginia 24014

/s/ David L. Meeks
David L. Meeks, Esq.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

IN RE: Gorman Lester Allen, Jr.
Rebecca Linette Allen
Debtors

NOTICE OF HEARING

GORMAN LESTER ALLEN, JR.
REBECCA LINETTE ALLEN
Debtor(s)/Plaintiff(s)

Case number: 12-51033

v.

AUGUSTA HEALTH CARE, INC., D.B.A.,
AUGUSTA MEDICAL CENTER

PLEASE TAKE NOTICE that the undersigned will, on December 11, 2013 at 10:00 a.m., or as soon thereafter as counsel may be heard, at the Courthouse of the Federal District Court, 116 North Main Street, Harrisonburg, Virginia, move the Court to enter an Order pursuant to the Objection to Claim 17 which is attached to this notice and incorporated herein by reference.

IF THE ABOVE NAMED CREDITOR DOES NOT FILE A WRITTEN RESPONSE TO THE CLAIM OBJECTION WITHIN THE THIRTY (30) DAY TIME PERIOD, AN ORDER SUSTAINING THE OBJECTION WILL BE ENTERED WITHOUT FURTHER NOTICE AND HEARING AND THE ABOVE NAMED CREDITOR WILL BE BARRED FROM RESPONDING TO THE OBJECTION TO CLAIM.

Date Mailed: 10/23/2013

/s/ David L. Meeks

Counsel

David L. Meeks, Esq.
Carlton Legal Services, P.L.C.
118 MacTanly Place
Staunton, VA 24401
(540) 213-0547
V.S.B. #65734

CERTIFICATE

I, David L. Meeks, Esq., do hereby certify that a true and accurate copy of this Notice of Hearing was mailed by first class mail on October 23, 2013 to:

John W. Sills, III, Esquire
Registered Agent
Augusta Health Care, Inc., d.b.a. Augusta Medical
Center
Timberlake, Smith, Thomas & Moses
25 N. Central Avenue
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/s/ David L. Meeks

David L. Meeks, Esq.